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PTO/SB/21 (09-04)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/828,765
Filing Date	April 20, 2004
First Named Inventor	James Fink
Art Unit	3743
Examiner Name	Not Assigned
Attorney Docket Number	016770-007100US

**ENCLOSURES** (Check all that apply)

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Postcard,<br>Copies of forty-four (44) cited foreign references, and<br>Copies of twenty-four (24) cited non-patent literature references |
|---|---|---|

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name Townsend and Townsend and Crew LLP

Signature

Printed name

Mart C. Matthews

Date

6/16/2005

Reg. No.

26,201

**CERTIFICATE OF TRANSMISSION/MAILING**

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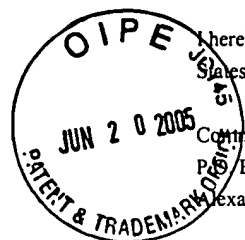
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Nicole M. Wartell

Date

6/16/2005



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P.O. Box 1450  
Alexandria, VA 22313-1450

PATENT  
Attorney Docket No.: 016770-007100US

On June 16, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: *Nicole M. Wartell*  
Nicole M. Wartell

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

James Fink

Application No.: 10/828,765

Filed: April 20, 2004

For: VENTILATION SYSTEMS AND  
METHODS EMPLOYING AEROSOL  
GENERATORS

Examiner: Lewis, Aaron J.

Art Unit: 3743

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references [in compliance with the requirements of 1287 OG 163] are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Mart C. Matthews  
Reg. No. 26,201

TOWNSEND and TOWNSEND and CREW LLP  
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MCM:nmb  
60516184 v1



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **1** of **14****Complete if Known**

Application Number	10/828,765
Filing Date	April 20, 2004
First Named Inventor	Fink, James
Art Unit	3743
Examiner Name	Lewis, Aaron J.
Attorney Docket Number	016770-007100US

**U.S. PATENT DOCUMENTS<sup>+</sup>**

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	A1	US-550,315	11-26-1895	Allen	
	A2	US-809,159	01-02-1906	Willis et al.	
	A3	US-1,680,616	08-14-1928	Horst	
	A4	US-2,022,520	11-26-1935	Philbrick	
	A5	US-2,101,304	12-07-1937	Wright	
	A6	US-2,158,615	05-16-1939	Wright	
	A7	US-2,187,528	01-16-1940	Wing	
	A8	US-2,223,541	12-03-1940	Baker	
	A9	US-2,266,706	12-16-1941	Fox et al.	
	A10	US-2,283,333	05-19-1942	Martin	
	A11	US-2,292,381	08-11-1942	Klagges	
	A12	US-2,360,297	10-10-1944	Wing	
	A13	US-2,375,770	05-15-1945	Dahlberg	
	A14	US-2,383,098	08-21-1945	Wheaton	
	A15	US-2,404,063	07-16-1946	Healy	
	A16	US-2,430,023	11-04-1947	Longmaid	
	A17	US-2,474,996	07-05-1949	Wallis	
	A18	US-2,512,004	06-20-1950	Wing	
	A19	US-2,521,657	09-05-1950	Severy	
	A20	US-2,681,041	06-15-1954	Zodtner et al.	
	A21	US-2,705,007	03-29-1955	Gerber	
	A22	US-2,735,427	02-21-1956	Sullivan	
	A23	US-2,764,946	10-02-1956	Henderson	
	A24	US-2,764,979	10-02-1956	Henderson	
	A25	US-2,779,623	01-29-1957	Eisenkraft	
	A26	US-2,935,970	05-10-1960	Morse et al.	
	A27	US-3,103,310	09-10-1963	Lang	
	A28	US-3,325,031	06-13-1967	Singier	
	A29	US-3,411,854	11-19-1968	Rosler et al.	
	A30	US-3,515,348	06-02-1970	Coffman, Jr.	
	A31	US-3,550,864	12-29-1970	East	
	A32	US-3,558,052	01-26-1971	Dunn	
	A33	US-3,561,444	02-09-1971	Boucher	
	A34	US-3,563,415	02-16-1971	Ogle	
	A35	US-3,680,954	08-01-1972	Frank	
	A36	US-3,719,328	03-06-1973	Hindman	
	A37	US-3,738,574	06-12-1973	Guntersdorfer et al.	
	A38	US-3,771,982	11-13-1973	Dobo	
	A39	US-3,790,079	02-05-1974	Berglund et al.	
	A40	US-3,804,329	04-16-1974	Martner	
	A41	US-3,812,854	05-28-1974	Michaels et al.	

Examiner Signature	Date Considered
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60516184 v1

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	10/828,765	
			Filing Date	April 20, 2004	
			First Named Inventor	Fink, James	
			Art Unit	3743	
			Examiner Name	Lewis, Aaron J.	
Sheet	2	of	14	Attorney Docket Number	016770-007100US

U.S. PATENT DOCUMENTS <sup>+</sup>					
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A42	US-3,838,686	10-01-1974	Szekely	
	A43	US-3,842,833	10-22-1974	Ogle	
	A44	US-3,865,106	02-11-1975	Palush	
	A45	US-3,903,884	09-09-1975	Huston et al.	
	A46	US-3,906,950	09-23-1975	Cocozza	
	A47	US-3,908,654	09-30-1975	Lhoest et al.	
	A48	US-3,950,760	04-13-1976	Rauch et al.	
	A49	US-3,951,313	04-20-1976	Coniglione	
	A50	US-3,958,249	05-18-1976	DeMaine et al.	
	A51	US-3,970,250	07-20-1976	Drews	
	A52	US-3,983,740	10-05-1976	Danel	
	A53	US-3,993,223	11-23-1976	Welker, III et al.	
	A54	US-4,005,435	01-25-1977	Lundquist et al.	
	A55	US-4,030,492	06-21-1977	Simburner	
	A56	US-4,052,986	10-11-1977	Scaife	
	A57	US-4,059,384	11-22-1977	Holland et al.	
	A58	US-D246,574	12-06-1977	Meierhoefer	
	A59	US-4,076,021	02-28-1978	Thompson	
	A60	US-4,083,368	04-11-1978	Freezer	
	A61	US-4,094,317	06-13-1978	Wasnich	
	A62	US-4,101,041	07-18-1978	Mauro, Jr. et al.	
	A63	US-4,106,503	08-15-1978	Rsenthal et al.	
	A64	US-4,109,174	08-22-1978	Hodgson	
	A65	US-4,113,809	09-12-1978	Abair et al.	
	A66	US-4,119,096	10-10-1978	Drews	
	A67	US-D249,958	10-17-1978	Meierhoefer	
	A68	US-4,121,583	10-24-1978	Chen	
	A69	US-4,159,803	07-03-1979	Cameto et al.	
	A70	US-4,207,990	06-17-1980	Weiler et al.	
	A71	US-4,210,155	07-01-1980	Grimes	
	A72	US-4,226,236	10-07-1980	Genese	
	A73	US-4,240,081	12-16-1980	Devitt	
	A74	US-4,240,417	12-23-1980	Holever	
	A75	US-4,248,227	02-03-1981	Thomas	
	A76	US-4,261,512	04-14-1981	Zierenberg	
	A77	US-D259,213	05-12-1981	Pagels	
	A78	US-4,268,460	05-19-1981	Boiarski et al.	
	A79	US-4,294,407	10-13-1981	Reichl et al.	
	A80	US-4,298,045	11-03-1981	Weiler et al.	
	A81	US-4,299,784	11-10-1981	Hense	
	A82	US-4,300,546	11-17-1981	Kruber	

Examiner Signature	Date Considered
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			Application Number	10/828,765
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Sheet <b>3</b>	of <b>14</b>	Attorney Docket Number		016770-007100US

U.S. PATENT DOCUMENTS <sup>+</sup>					
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	A83	US-4,301,093	11-17-1981	Eck	
	A84	US-4,319,155	03-09-1982	Makai et al.	
	A85	US-4,334,531	06-15-1982	Reichl et al.	
	A86	US-4,336,544	06-22-1982	Donald et al.	
	A87	US-4,338,576	07-06-1982	Takahashi et al.	
	A88	US-4,368,476	01-11-1983	Uehara et al.	
	A89	US-4,368,850	01-18-1983	Szekely	
	A90	US-4,374,707	02-22-1983	Pollack	
	A91	US-4,389,071	06-21-1983	Johnson, Jr. et al.	
	A92	US-4,408,719	10-11-1983	Last	
	A93	US-4,428,802	01-31-1984	Kanai et al.	
	A94	US-4,431,136	02-14-1984	Janner et al.	
	A95	US-4,454,877	06-19-1984	Miller et al.	
	A96	US-4,465,234	08-14-1984	Maehara et al.	
	A97	US-4,474,251	10-02-1984	Johnson, Jr.	
	A98	US-4,474,326	10-02-1984	Takahashi.	
	A99	US-4,475,113	10-02-1984	Lee et al.	
	A100	US-4,479,609	10-30-1984	Maeda et al.	
	A101	US-4,512,341	04-23-1985	Lester	
	A102	US-4,530,464	07-23-1985	Yamamoto et al.	
	A103	US-4,533,082	08-06-1985	Maehara et al.	
	A104	US-4,539,575	09-03-1985	Nilsson.	
	A105	US-4,544,933	10-01-1985	Heinzi	
	A106	US-4,546,361	10-08-1985	Brescia et al.	
	A107	US-4,550,325	10-29-1985	Viola.	
	A108	US-4,566,452	01-28-1986	Farr, deceased	
	A109	US-4,591,883	05-27-1986	Isayama	
	A110	US-4,593,291	06-03-1986	Howkins	
	A111	US-4,605,167	08-12-1986	Maehara	
	A112	US-4,613,326	09-23-1986	Szwarc	
	A113	US-4,620,201	10-28-1986	Heinzi et al.	
	A114	US-4,628,890	12-16-1986	Freeman	
	A115	US-4,632,311	12-30-1986	Nakane et al.	
	A116	US-4,658,269	04-14-1987	Rezanka	
	A117	US-4,659,014	04-21-1987	Soth et al.	
	A118	US-4,677,975	07-07-1987	Edgar et al.	
	A119	US-4,678,680	07-07-1987	Abowitz	
	A120	US-4,679,551	07-14-1987	Anthony	
	A121	US-4,681,264	07-21-1987	Johnson, Jr.	
	A122	US-4,693,853	09-15-1987	Falb et al.	
	A123	US-4,702,418	10-27-1987	Carter et al.	
Examiner Signature			Date Considered		

<sup>+</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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			Art Unit	3743	
Examiner Name	Lewis, Aaron J.				
Sheet	4	of	14	Attorney Docket Number	016770-007100US

U.S. PATENT DOCUMENTS <sup>+</sup>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A124	US-4,722,906	02-02-1988	Guire	
	A125	US-4,753,579	06-28-1988	Murphy	
	A126	US-4,790,479	12-13-1988	Matsumoto et al.	
	A127	US-4,793,339	12-27-1988	Matsumoto et al.	
	A128	US-4,796,807	01-10-1989	Bendig et al.	
	A129	US-4,799,622	01-24-1989	Ishikawa et al.	
	A130	US-4,805,609	02-21-1989	Roberts et al.	
	A131	US-4,819,629	04-11-1989	Jonson	
	A132	US-4,819,834	04-11-1989	Thiel	
	A133	US-4,826,759	05-02-1989	Guire et al.	
	A134	US-4,826,080	05-02-1989	Ganser	
	A135	US-4,828,886	05-09-1989	Hieber	
	A136	US-4,843,445	06-27-1989	Stemme	
	A137	US-4,849,303	07-18-1989	Graham et al.	
	A138	US-4,850,534	07-25-1989	Takahashi et al.	
	A139	US-4,865,006	09-12-1989	Nogi et al.	
	A140	US-4,871,489	10-03-1989	Ketcham	
	A141	US-4,872,553	10-10-1989	Suzuki et al.	
	A142	US-4,877,989	10-31-1989	Drews et al.	
	A143	US-4,888,516	12-19-1989	Daeges et al.	
	A144	US-4,922,901	05-08-1990	Brooks et al.	
	A145	US-4,926,915	05-22-1990	Deussen et al.	
	A146	US-4,934,358	06-19-1990	Nilsson et al.	
	A147	US-4,954,225	09-04-1990	Bakewell	
	A148	US-4,957,239	09-18-1990	Tempelman	
	A149	US-4,964,521	10-23-1990	Wieland et al.	
	A150	US-4,968,299	11-06-1990	Ahlstrand et al.	
	A151	US-D312,209	11-20-1990	Morrow et al.	
	A152	US-4,971,665	11-20-1990	Sexton	
	A153	US-4,973,493	11-27-1990	Guire	
	A154	US-4,976,259	12-11-1990	Higson et al.	
	A155	US-4,979,959	12-25-1990	Guire	
	A156	US-4,994,043	02-19-1991	Ysebaert	
	A157	US-5,002,582	03-26-1991	Guire et al.	
	A158	US-5,002,048	03-26-1991	Makiej, Jr.	
	A159	US-5,007,419	04-16-1991	Weinstein et al.	
	A160	US-5,016,024	05-14-1991	Lam et al.	
	A161	US-5,021,701	06-04-1991	Takahashi et al.	
	A162	US-5,022,587	06-11-1991	Hochstein	
	A163	US-5,024,733	06-18-1991	Abys et al.	
	A164	US-5,046,627	09-10-1991	Hansen	
Examiner Signature				Date Considered	

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Sheet	5	of	14	Attorney Docket Number	016770-007100US

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		Number Kind Code <sup>2</sup> (if known)			
	A165	US-5,063,396	11-05-1991	Shiokawa et al.	
	A166	US-5,062,419	11-05-1991	Rider	
	A167	US-5,063,922	11-12-1991	Häkkinen	
	A168	US-5,073,484	12-17-1991	Swanson et al.	
	A169	US-5,076,266	12-31-1991	Babaev	
	A170	US-5,080,649	01-14-1992	Vetter	
	A171	US-5,080,093	01-14-1992	Raabe et al.	
	A172	US-5,086,765	02-11-1992	Levine	
	A173	US-5,086,785	02-11-1992	Gentile et al.	
	A174	US-5,115,803	05-26-1992	Sioutas	
	A175	US-5,115,971	05-26-1992	Greenspan et al.	
	A176	US-5,122,116	06-16-1992	Kriesel et al.	
	A177	US-D327,008	06-16-1992	Friedman	
	A178	US-5,129,579	07-14-1992	Conte	
	A179	US-5,134,993	08-04-1992	Van Der Linden et al.	
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			Art Unit	3743	
			Examiner Name	Lewis, Aaron J.	
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U.S. PATENT DOCUMENTS <sup>+</sup>					
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U.S. PATENT DOCUMENTS <sup>+</sup>					
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	A402	US-6,629,646	10-07-2003	Ivri, Ehud	
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	A410	US-6,705,315 B2	03-16-2004	Sullivan et al.	

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			Application Number	10/828,765	
			Filing Date	April 20, 2004	
			First Named Inventor	Fink, James	
			Art. Unit	3743	
Examiner Name	Lewis, Aaron J.				
Sheet	11	of	14	Attorney Docket Number	016770-007100US

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Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
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	A412	US-6,732,944	05-11-2004	Litherland et al.	
	A413	US-6,745,768 B2	06-08-2004	Colla et al.	
	A414	US-6,745,770 B2	06-08-2004	McAuliffe et al.	
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	A418	US-6,769,626	08-03-2004	Haveri	
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	A423	US-6,814,071	11-09-2004	Klimowicz et al.	
	A424	US-6,817,361 B2	11-16-2004	Berthon-Jones et al.	
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			Filing Date	April 20, 2004	
			First Named Inventor	Fink, James	
			Art Unit	3743	
			Examiner Name	Lewis, Aaron J.	
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	B40	PCT	WO 93/10910	A1	06-10-1993			<input type="checkbox"/>
	B41	PCT	WO 94/09912	A1	05-11-1994			<input type="checkbox"/>
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			Application Number	10/828,765	
			Filing Date	April 20, 2004	
			First Named Inventor	Fink, James	
			Art Unit	3743	
			Examiner Name	Lewis, Aaron J.	
Sheet	13	of	14	Attorney Docket Number	016770-007100US

NON PATENT LITERATURE DOCUMENTS			
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	C1	Abys, J.A. et al., "Annealing Behavior of Palladium-Nickel Alloy Electrodeposits," Plating and Surface Finishing, August 1996, pp. 1-7.	
	C2	Allen, T. <u>Particle Size Measurement</u> , Third Edition, Chapman and Hall pp. 167-169 (1981).	
	C3	Ashgriz, N. et al. "Development of a Controlled Spray Generator" Rev. Sci. Instrum., 1987, pp. 1291-1296, Vol. 58, No. 7.	
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	C15	MAEHARA, N. et al. "Atomizing rate control of a multi-pinhole-plate ultrasonic atomizer" J. Acoustical Soc. Japan, 1988, pp. 116-121, 44:2.	
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	C17	MAEHARA, N. et al. "Influences of liquid's physical properties on the characteristics of a multi-pinhole-plate ultrasonic atomizer" J. Acoustical Soc. Japan 1988, pp. 425-431, 44:6.	
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	C23	Ueha, S., et al. "Mechanism of Ultrasonic Atomization Using a Multi-Pinhole Plate" J. Acoust. Soc. Jpn., 1985, pp. 21-26, (E)6,1.	
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